

## CIVIL DOCKET

UNITED STATES DISTRICT COURT

Jury demand date: 9-9-69

D. C. Form No. 106A Rev.

TITLE OF CASE		ATTORNEYS			
MARILYN TOURTELLOTTE,  vs  BOARD OF EDUCATION OF VINITA, Oklahoma; CHARLES HALL, President; VERNON L. BARNES, Superintendent of Schools; J. DUKE LOGAN; JACK NICHOLS; JIM BUSHYHEAD and ELDON WILLIAMS,		For plaintiff:  Jay C. Baker Mayo Building Tulsa, Oklahoma 74103   For defendant: Green, Feldman & Hall Enterprise Building Tulsa, Oklahoma  Wallace & Owens 300 Savings & Loan Bldg Miami, Okla 74354			
STATISTICAL RECORD	COSTS	DATE	NAME OR RECEIPT NO.	REC.	DISB.
J.S. 5 mailed 10-1-69	Clerk	9-9-69	Baker	15 00	
		9-11-69	CD 11		15 00
J.S. 6 mailed 9-1-70	Marshal				
Depriving her					
Basis of Action: Constitution	Docket fee				
rights. and					
Restraining and Order	Witness fees				
Temporarily and permanently					
enjoining.	Depositions				
Action arose at: Vinita, Okla					

DATE	PROCEEDINGS	Date Order or Judgment Noted
9-9-69	Complaint, filed, and Summons Issued. js	
9-11-69	Plaintiffs granted 5 days in which to file amended complaint and court grants parties 10 days in which to file briefs.(AEB-J)h	
9-12-69	Amendment to complaint, filed. ds	
9-17-69	Return on summons, filed. Served Jack Nichols personally, Vernon L. Barnes personally as Supt. of Schools, Charles Hall personally as Pres. of Bd. of Educ., Jim Bushyhead personally, Eldon Williams by serving his wife, Mrs. Eldon Williams personally, all in Vinita, Okla. on 9-15-69. Summons returned unserved on J. Duke Logan at request of pltf's atty. on 9-16-69. (Fees: \$31.08)m	
9-23-69	Defendants' brief re Lack of Jurisdiction, filed. ds	
9-24-69	Application For Extension of Time For Submission of Brief, filed. js	
9-24-69	Order Extending Time For Submission of Brief, filed (AEB-J)until Sept. 29, 1969. js	
9-30-69	Plaintiff's brief in support of jurisdiction, filed. b	
10-2-69	Application of defendants for extension of time to answer, with order extending time to 10-15-69, filed. (MME-Clerk)m	
10-13-69	Supplement to brief in support of jurisdiction, filed. ds	
10-15-69	Answer of defendant Vernon L. Barnes, Superintendent of Schools, filed. b	
10-15-69	Answer of Independent School District Number 65 of Craig County, Charles Hall, Jack Nichols, Jim Bushyhead and Eldon Williams, filed. b	
11-5-69	Minute Order: Parties directed to hold pre-trial and file pre-trial order not later than 12-8-69.h(AEB-J)h	
12-5-69	Return on summons, filed. Served J. Duke Logan personally in Vinita, Okla., on 12-4-69. (Fees: \$18.36)m	
12-11-69	Minute Order: It is ordered by the court that parties are granted an extension of 20 days from Dec. 3, 1969 in which to file pre-trial order.(AEB-J)h	
12-18-69	Amendment to brief of plaintiff, filed. m	
12-29-69	Answer of defendant, J. Duke Logan, filed. b	
12-31-69	Minute Order: It is ordered that parties granted a final additional extension of 10 days time in which to file pre-trial order.(AEB-J)h(notice mailed)	
1-8-70	Pre-Trial order, filed. e	
1-14-70	Deposition of James R. Turtellotte taken on 11-24-69 on behalf of defts. (Fee: \$89.00 pd by defts.)m	
1-14-70	Deposition of Marilyn Turtellotte taken on 11-24-69 on behalf of defts. (Fee: \$37.00 pd by defts.)m	
1-28-70	Reply of Plaintiff, filed. js	
3-27-70	<del>Application by defendant for an order withdrawing defendant's motion to dismiss and for allowance of time within which to respond, answer, or otherwise plead, filed. ds</del>	
3-27-70	Second amendment to brief of plaintiff, filed. ds	
5-13-70	It is ordered by the Court that this case is set for jury trial on Monday, May 25th, 1970, at 10:00 A.M. (AEB-J) ds	
5-25-70	Withdrawal of Request for Jury, filed. js	
5-25-70	Case called for jury trial. Plaintiff withdraws request for jury trial and defendants concur, and case stricken from jury docket, parties request pre-trial hearing, and request granted, and case to be set on next non-jury docket.(AEB-J)h	
6-9-70	Depositions of J. Duke Logan, C. Vol Faulkner and Vernon Lee Barnes on behalf of the plaintiff before Frank L. Peterson, CSR, filed. (Fee \$75.00) b	

(OVER)

DATE	PROCEEDINGS	Date Order or Judgment Noted
6-16-70	Case set for Non-Jury Trial for <del>MONDAY</del> day, July 6, 1970 at 10:00 A.M. (AEB-J)v	
6-29-70	Agreed Statement of facts, filed. v	
7-6-70	Case called for non-jury trial, and tried to the court. Parties directed to file FFC/L within 10 days, and case taken under advisement. (AEB-J)	
7-6-70	Trial brief of plaintiff filed in open court. (AEB-J)h	
7-6-70	Trial brief of defendant filed in open court. (AEB-J)h	
7-22-70	Plaintiff's requested findings of Fact and Law, filed. ds	
7-23-70	Reply Brief of Plaintiff (in response to brief of the Deft's in support of requested Conclusions of Law., filed. v	
7-16-70	Brief of Deft's in support of Requested Conclusions of Law, filed. js	
7-16-70	Requested Findsing of Facts, filed. js (by deft's)	
7-16-70	Deft's Requested Conclusions of Law, by deft. filed. js	
8-3-70	Amicus Curiae Brief of the Oklahoma Educational Association filed.h (Leave granted-AEB-J)h	
8-4-70	Reporter's transcript of proceedings had on July 6, 1970 - Non-Jury Trial, filed. v	
8-7-70	Minute Order: Case set for decision on Thurs. Aug. 13, 1970 at 10:00am (AEB-J)	
8-13-70	Hearing held on decision. Findings of Fact and Conclusions of Law and Judgment read into the record. It is ordered that the Court finds in favor of the defendants for the reason that the plaintiff failed to prove damages. (AEB-J)h	
8-13-70	Findings of Fact, Conclusions of Law and Judgment filed and entered. It is ordered that judgment be and is hereby entered in favor of defendants. (AEB-J)h (copies furnished attorneys)	

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